

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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OFFICE OF THE CONSUMER ADVOCATE

Filing Online

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Docket No. RM2002-1

OFFICE OF THE CONSUMER ADVOCATE
COMMENTS ON NOTICE OF PROPOSED RULEMAKING
TO REQUIRE FILING OF DOCUMENTS IN ELECTRONIC FORM
(June 21, 2002)

The Office of the Consumer Advocate ("OCA") hereby responds to the Commission's Notice of Proposed Rulemaking ("Notice") inviting comments on or before June 21, 2002 on the Commission's proposal to make electronic filing ("Filing Online") standard procedure for official documents.¹

The Notice proposes to make Filing Online mandatory with the opportunity to obtain waiver of the requirement if online filing is infeasible due to demonstrated special circumstances. The Notice provides for revisions to the Commission's rules of practice and procedure to provide for Account Holders to file documents online. In certain circumstances, supplementary hard copies of lengthy documents must also be filed. Documents filed online will normally be posted on the Commission's website the same business day they are submitted.

¹ "Notice of Proposed Rulemaking to Require Filing of Documents in Electronic Form," Order No. 1341, May 8, 2002. See also, "Notice and Order Concerning Electronic Filing," Order No. 1317, June 13, 2001.

The OCA concurs with the Commission that the potential benefits from Filing Online are substantial and that it is necessary to make the online filing standard procedure to fully realize those benefits (Notice at 2). The OCA participated in the experimental stage of the Commission's program initiated during the last rate proceeding in Docket No. R2001-1. The experiment has proven Filing Online is satisfactory and useful. The menu-driven electronic filing procedures are easy to follow. The benefits of the early availability of filed documents in computer readable format have proven to be very positive and Filing Online is reliable and user friendly. The OCA commends the Commission for the innovative program and looks forward to the implementation of the new procedures.

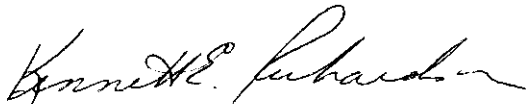
Comments were filed early by Douglas F. Carlson ("Carlson") on June 12. Carlson's comments also support the Filing Online procedure, but Carlson asks that the proposed requirement of hardcopy filing of briefs or testimony that exceed 20 pages in length be increased to 30 pages to reduce postage and duplication costs. Carlson also notes it is difficult to submit a significant brief or testimony in fewer than 20 pages. A higher page threshold would increase flexibility. Alternatively, Carlson suggests an earlier filing date for documents longer than twenty pages submitted by those who wish to avoid filing a hardcopy in order to reduce the congestion of downloading long documents on deadline days. Carlson also suggests, alternatively, a waiver of the page threshold for the hardcopy service requirement for those filing early.

The arguments of Carlson to increase the minimum page length for hardcopy briefs or testimony to 30 pages appear to have merit and OCA supports the suggestion for a higher page cutoff for hardcopy filing. However, Carlson's suggested alternative of an early filing date for those who do not wish to file a hardcopy carries with it certain risks for Carlson and others similarly situated. A separate early filing date could disadvantage those who want to file briefs or testimony longer than 20 pages but need to save the cost of hardcopy filing. Other participants could be in a position to see the arguments of those participants filing early and could, therefore, respond immediately in their own document. It is especially unfair to have two filing dates for reply briefs. All participants would have the opportunity to respond to the reply arguments of the party seeking to save the cost of hardcopy filing; yet, the early filer could not answer their reply arguments.

Also, having to provide for an earlier secondary filing date in each proceeding for those wishing to avoid filing a hardcopy could add unnecessary scheduling complexity, especially at times when the schedule is very tight due to time constraints and could add further confusion.

Wherefore, the OCA wholeheartedly supports the proposed Filing Online program as a useful and innovative tool for the participants and the Commission in Commission proceedings.

Respectfully submitted,

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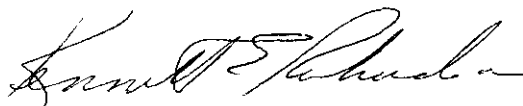
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing document upon all participants of record in this proceeding in accordance with Rule 12 of the rules of practice.

A handwritten signature in black ink, appearing to read "Kenneth E. Richardson".

Kenneth E. Richardson

Washington, D.C. 20268-0001
June 21, 2002